

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE
March 1, 2005**

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Re: BellSouth's Petition to Establish Generic Docket)
to Consider Amendments to Interconnection Agreements) Docket No. 04-00381
Resulting from Change of Law)

**CINERGY COMMUNICATIONS
STATEMENT OF ISSUES**

In addition to the issues list submitted by CompSouth, Cinergy Communications ("Cinergy") hereby submits the following list of issues in response to the Hearing Officer's Order dated February 28, 2005.

1. TRO. CLECs should be able to order wholesale services, including but not limited to wholesale DSL transport, out of BellSouth's access tariffs and commingle those services with a UNE loop.
2. TRRO (Hot Cuts). Develop procedures for an interim batch hot cut process so that CLEC can begin migration from UNE-P to UNE-L. The ICA should be amended to include terms, conditions and pricing that will allow batch hot cuts for an orderly transition from UNE-P to UNE-L.
3. TRO (UNE-L) Develop procedures for return of UNE-P customers to BellSouth when business case analysis does not support deployment of UNE-L.
4. Core Forbearance Order. BellSouth should be required to amend the ICA consistent with the FCC's Order in the Core Communications Petition in which it removed the cap on ISP-Bound Traffic and eliminated the new market restriction.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: 

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via fax or hand delivery and U.S. mail to the following on this the 4 day of March, 2005.

Guy Hicks, Esq.
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Henry Walker